

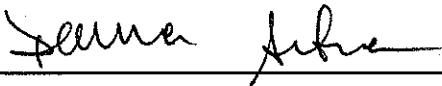
Memorandum

TO: Rules and Open Government Committee **FROM:** Rob Davis

SUBJECT: Police Statistical Reports

DATE: February 12, 2009

Approved



Date

2/12/09

RECOMMENDATION

- A. Reserve additional direction on the regular production of Statistical Reports until this decision can be weighed against other public safety priorities during the City Council's review of 2009-2010 service reductions to be considered for the Police Department.
- B. Direct staff to consider the production of these reports on a biennial frequency by an outside consultant with expertise in advanced statistical, demographic and population trend analyses and return to Rules for a discussion regarding the frequency of issuing these statistical reports when the Police Department has completed implementation of a Records Management System.

BACKGROUND

On October 14, 2008, the Rules & Open Government Committee (ROGC) held a special meeting to consider the Police Records recommendations from the Sunshine Reform Task Force (SRTF). The Task Force recommendations (Attachment A) would increase the frequency of statistical reporting to quarterly, would require a new statistical report for all pedestrian stops, and would prescribe additional information that must be collected and reported.

The Committee heard extensive public testimony at the October 14 meeting, and then asked for additional information related to a number of items. On October 29, 2008, the Committee approved a work plan detailing the additional information to be provided. On January 21, staff returned with the topic of police records to the Committee, but the issue of statistical reports was not addressed.

On the topic of statistical reports, the work plan called for the Police Department to evaluate current resources, review the statistical reports it is currently providing, develop a timeline that will allow for all necessary reports to be completed, and make recommendations regarding the SRTF proposals regarding Law Enforcement Statistical Records.

ANALYSIS

Statistical Reports Issued

The Police Department has occasionally issued two statistical reports: the Force Response Report (FRR) and the Vehicle Stop Demographic Study (VSDS).¹

The FRR was initially issued as a voluntary Taser Study in 2004 and 2005. In 2006, this report was amended to cover all force responses and renamed Force Response Report. The last FRR was issued in 2007. The FRR provides statistical data on the incidents in which police officers have responded with force and tracks the following categories: location of incident, number of force incidents, numbers of suspects, day and time of week, source of call, incident type, officer assignment, officer activity prior to force response, suspect race, number of arrests, city of residence, crimes committed against the officer by the suspect, signs of chemical influence/mental illness, suspect status, gender, and suspect age.

The first VSDS report was issued in 1999 and was followed by three subsequent reports issued in FY 2000-01, FY 02-03 and in June of 2004. The study was specifically instituted to examine the issue of racial profiling, which is defined as a practice in which a police officer initiates a vehicle stop based upon the race or ethnicity of the driver.² The report provides data on: reason for the stop, type of action taken, race/ethnicity of the driver, whether or not a search was conducted, whether or not contraband was found, and the number of persons stopped.

Report Production: Current Technology, Capacity & Trends

Data Systems & Capacity

The Police Department assembles and analyzes the FRR and VSDS reports manually. The FRR is developed with data from the Records Management System (RMS). The VSDS is developed with data from the Computer Aided Dispatch (CAD) system.

When producing the FRR, staff must gather police reports, manually review the contents for quality control, and input the data into a stand-alone database. The Department's current RMS does not have the technological capability for data extraction for the types of reports developed, nor was it designed to produce analyzed data. Because of these limitations, the Department developed a Force Response Form, which is completed each time an officer uses force on a suspect. The current process to develop a Force Response Report requires a police officer to

¹Neither of these reports is required by any government agency.

² While Section 6.1.1.040a requests data for pedestrian stops, the VSDS report does not include pedestrian stop data nor does the CAD capture all pedestrian stop data. Police contacts with the public range widely in purpose (e.g., from investigatory to providing general information) and tracking the high number of contacts would result in the implementation of a new labor-intensive system. Implementation of such a process would require a change in the current model for police contact in that each pedestrian stop contact would require that a police officer track the data sets captured during a pedestrian stop. It is important to note that the law enforcement procedures differ between a vehicle and pedestrian stop.

forward a copy of each Force Response Form to the Research and Development Unit for manual data collection.

Production of the VSDS requires customized data extraction from a CAD database by Information Technology (IT) staff, which must also be validated by staff in the Crime Analysis Unit, in coordination with the Research and Development Unit. The validation process entails quality inspection of complete and accurate data field coding.

For both the FRR and the VSDS, the Police Department was able to produce only the most conventional methods of statistical analyses such as raw values and percentages. This descriptive data provides good information with respect to activity and frequency rates; however, the data was not statistically correlated to population(s) to measure statistical change or significance.

Lastly, given that the Police Department has limited expertise in statistical population analyses, the range of study for both reports is limited, and at times, appeared inadequate to the level of analyses desired and necessary to draw accurate conclusions from the data collected. The Police Department does not have the in-house expertise to perform these advanced statistical studies.

Trend Activity

Consideration should also be given to the trend activity regarding other law enforcement agency practices. It should be noted that other law enforcement agencies that produce these reports have experienced similar challenges and concerns with respect to the ability to produce such reports. Most recently, the cities of San Francisco and San Diego have discontinued the practice of issuing such reports and the SJPD is in process of exploring the decisions made by those and other jurisdictions. The table below provides a brief summary of preliminary research conducted by the SJPD to demonstrate the level of report type production; the majority of cities are not producing these types of reports.

AGENCY	FRR	VSDS	CONSENT DECREE
³ Los Angeles PD*	Yes	Yes	Yes
San Francisco PD	No	No	No
San Diego PD**	No	No	No
Long Beach PD	No	No	No
Seattle PD	No	No	No
Riverside PD	No	Yes	Yes

*Los Angeles PD contracts out to a private consulting group. These reports are required by Consent Decree

**San Diego published a VSDS in 2001 only.

Further, the SJPD is in process of gathering additional perspectives on national best practices with respect to these reports. Moving forward, in order to respond to trends and our limited in-house statistical capacity, it is important for the SJPD to reconsider any opportunities to restructure how or if it produces these reports.

³ Current status of Los Angeles report production is unclear based on recent media reports.

Efficiencies/Reduced Cycle Time

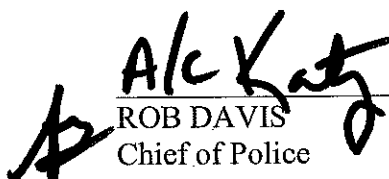
The Police Department is in process of procuring a new Automated Field Reporting/Records Management System (AFR/RMS). A new AFR/RMS system will not support the production of the VSDS because the data needed to compile this report is captured only in the CAD system. However, the Police Department is exploring the cost and possibility of integration with an RMS that is supported by AFR, which would enable single point of data entry and could aid in the production of the FRR. The City has tentatively identified approximately \$2.57 million in funds to procure a new AFR/RMS system. At this time, however, funding is not available for the full implementation of an AFR/RMS solution, which is roughly estimated at \$3 to 6 million, not including hardware and software, to update the mobile data terminals (MDTs). During this preliminary AFR/RMS procurement stage, the City has issued a Request for Information (RFI) to learn more about the systems on the market and is in the process of obtaining a Return on Investment (ROI) analysis for this project.

Absent the implementation of improved technology efficiencies, an option to improve in-house report production is to add human resources. Prior to making any decisions on whether to dedicate more staff to completing these reports, it is important for the City to evaluate the list of other public safety priorities that would need to be offset in order to gain reduced cycle time to produce these reports or produce them more frequently. Below you will find a recommendation to issue reports biennially. This recommendation is based on the Department's capacity to provide reports while at the same time implementing the RMS system.

Another option to remove the burden from the Department to analyze and produce these reports would be to obtain consultant services with expertise in advanced population statistical analyses and reporting. This would result in a more in-depth review of the data and would produce higher quality statistical reports. Staff would need to be dedicated to manually compile the data, but evaluation and report assembly could be outsourced. This option would require funding.

CONCLUSION:

Given the City's budget situation, the Police Department will be presenting its service reduction proposals as part of the budget deliberation process. We recommend that the City Council reserve direction on this issue until it can be weighed against other public safety priorities. Concurrently, the City will consider the production of these reports on a biennial frequency by an outside consultant with expertise in advanced statistical, demographic and population trend analyses. At the time that the RMS implementation is complete, staff will return to Council for a discussion regarding the frequency of issuing these statistical reports.


ROB DAVIS
Chief of Police

6.1.1.040 Statistical Reports Prepared by the San Jose Police Department

The San Jose Police Department must produce:

- A. A quarterly report on all stops conducted by San Jose police officers, including all traffic stops and pedestrian stops in which a person was questioned, photographed, frisked, patted down, detained, issued a citation or arrested.

For each stop, the report will include the race and ethnicity of the person stopped, some geographic designation of the location of the stop, the reason for the stop, whether a citation was issued, whether a vehicle was searched and whether consent was granted for the search, and whether an arrest occurred.

- B. A quarterly report on the San Jose Department's use of force in arrests, including the race and ethnicity of the person arrested, some geographic designation of the location of the arrest, the reason for use of force by category (for example, refusal to comply with police orders, threatening behavior or language, engaged in use of force against another person, etc.) whether a warning was given prior to use of force, the type of force used by category (for example, firearms, tasers, batons, pepper spray, hands and feet, etc), and the injuries sustained by the arrested party and officer, if any.
- C. The type and frequency of police statistical reports must be reviewed annually. The first annual review will take place 12 months after adoption of the public records section of the Open Government Ordinance. The review will be implemented by the Open Government Commission. In the event the Open Government Commission has not been operating for at least 6 months, the review will be implemented by the City Council.